

MAR. 12. 2007 2:52PM

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NO. 117 P. 1/3

MAR 12 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Kevin A. Seiling, et al.)
)
U.S. Patent Appln. No. 10/001,730)
)
Filed: November 2, 2001)
)
Art Unit: 1732)
)
Appeal No.: 2007-0821)
)
Attorney Docket No.: 01-180)

COMPOSITION FOR MAKING
EXTRUDED SHAPES AND A
METHOD FOR MAKING SUCH
COMPOSITION

*BY FACSIMILE TO BPAI (3 pages total): 571-273-0299 &
BY FACSIMILE TO USPTO (3 pages total): 571-273-8300*

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

March 12, 2007

2nd RESPONSE TO "NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS"

In response to the "Notice of Hearing Confirmation Required within Twenty-One Days" (copy enclosed) mailed February 27, 2007, as well as my telephone discussion today with a BPAI representative, Appellant and its counsel respectfully request that the date for Oral Hearing be rescheduled.

The Oral Hearing is currently scheduled for Wednesday, April 4, 2007, at 1:00PM in Hearing Room A. This request to reschedule that date is necessitated by a conflict that I have with a previously scheduled obligation to another client. I am the attorney who has prosecuted the subject application, including preparation of the Brief and Reply Brief and I am the Applicant's representative who is most familiar with the issues in this appeal.

On April 4, 2007, I am scheduled to meet with six representatives of Parker-Hannifin Corporation, a client who is located in Cleveland, Ohio. The meeting is to be held at Parker-

U.S. Patent Application No. 10/001,730

Appeal No.: 2007-0821

Appellant: Kevin A. Seiling, et al.

"2nd Response" Letter dated March 12, 2007

Hannifin's offices in Cleveland. The purpose of the meeting is to discuss confidential and privileged business and legal issues.

Due to the number of attendees and the schedule for deciding the issues to be addressed with that client, that meeting cannot be rescheduled. I have represented Parker-Hannifin for over 20 years and I believe that my participation in the meeting is necessary. The meeting with Parker-Hannifin was scheduled before the Patent Office issued the Notice of Hearing setting the hearing date for April 4, 2007. Accordingly, there was no opportunity to avoid this scheduling conflict.

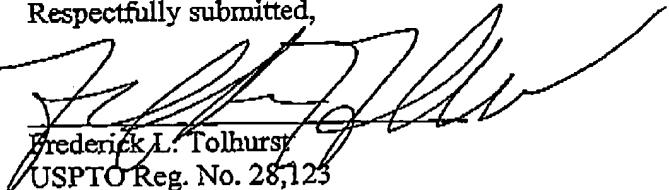
It is respectfully requested that, if possible, the oral hearing be rescheduled to one of the following alternate dates:

Monday, May 7, 2007
Tuesday, May 8, 2007
Wednesday, May 9, 2007
Thursday, May 10, 2007
Monday, May 21, 2007

If further information is required for processing this request, I can be reached directly at 412-297-4960.

Respectfully submitted,

By:


Frederick L. Tolhurst
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COHEN & GRIGSBY

NO. 117 P. 3/3

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Clerk
d/p

UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

COHEN & GRIGSBY, P.C.
11 STANWIX STREET
15TH FLOOR
PITTSBURGH, PA 15222

Appeal No: 2007-0821
Appellant: Kevin A. Seiling et al.
Application No: 10/001,730
Hearing Room: A
Hearing Docket: A
Hearing Date: Wednesday, April 4, 2007
Hearing Time: 1:00 PM
Location: Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

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BY: *[Signature]*

NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address: Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. BOX 1450
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: HEARING ATTENDANCE CONFIRMED HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

Registration No.

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
http://www.uspto.gov/web/offices/dcom/counsel/contact.htm#bpaic_contacts